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DSL-BQA-00-038

TO: Community Based Residential Facilities

CBRF - 016

FROM: La Vern Woodford, Chief
Resident Care Review Section

via: Susan Schroeder, Director
Bureau of Quality Assurance

Destruction of Controlled Substances

The Bureau of Quality Assurance has received notification from the Drug Enforcement Administration (DEA) regarding the destruction of controlled substances in Community Based Residential Facilities (CBRFs). The DEA **no longer** requires that CBRFs complete a DEA form identifying medications that have been destroyed.

As a result of this change, the Bureau of Quality Assurance is issuing a statewide waiver of the portion of s. HFS 83.33(3)(j)1 that addresses the destruction of controlled substances. **The only language in s. HFS 83.33(3)(j)1 that is waived states:**

“...Controlled substances shall be destroyed according to U.S. drug enforcement agency (DEA) procedures for CBRFs. The CBRF shall write to the DEA for instructions for destroying controlled substances.”

This waiver allows CBRFs to destroy medications using the procedure described in s. HFS 83.33(3)(j)2. that states:

“Records shall be kept of all medication returned to the pharmacy for credit or destruction. Any medication not returned for credit or destruction shall be destroyed in the facility and a record of the destruction shall be witnessed, signed and dated by at least 2 of the following: the administrator or designee, a registered nurse or a pharmacist and one other employee.”

The portion of s. HFS 83.33(3)(j)1 that is **not waived** states:

“Except for controlled substances, a resident’s prescription medication not returned to the pharmacy for credit or destruction shall be destroyed within 72 hours of a practitioner’s order discontinuing its use, the resident’s discharge, the resident’s death, loss of medication dosage form integrity, removal of the medication from the medication package, or the medication’s expiration date...”

If you have any questions regarding this issue, please contact the appropriate Regional Field Operations Director listed below:

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